

Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 SSO-00 NSCE-00 INRE-00

SS-20 NSC-07 CIAE-00 COME-00 DODE-00 DOTE-00 INR-10

NSAE-00 RSC-01 FAA-00 L-03 /087 R

DRAFTED BY EB/AN:RCPARR:VLV

APPROVED BY EB/AN:MHSTYLES

CAB - MR. CHESEN

EUR/CE - MR. WILGAS

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O 102008Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

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E.O. 11652: N/A

TAGS: ETRN, GW

SUBJECT: CIVAIR - SATURN CHARTER JUNE 18

REF: BONN 9094

1. WE AGREE THAT (1) PURPOSE OF MEMO OF UNDERSTANDING (MOU) IS TO REGULATE ONLY BILATERAL CHARTER OPERATIONS, AND (2) UNDER MOU WE HAVE NO RPT NO GROUNDS ON WHICH TO OBJECT TO FRG NOTIFICATION TO AIRLINES WITH REGARD TO DUAL STOPS WITH TRAFFIC PICKUPS. HOWEVER, INASMUCH AS CAB HAS GRANTED MULTIPLE STOP CHARTER AUTHORITY TO FRG AIRLINES, IT DOES SEEM THAT ON BASIS OF RECIPROCITY FRG COULD ACCOMMODATE US AIRLINES ON SATURN FLIGHT, ESPECIALLY SINCE CAB HAS ACCOMMODATED FRG BY GRANTING TO CONDOR WAIVER ON COMMINGLING, EVEN THOUGH USG NOT SO OBLIGATED UNDER MOU.

2. IN OUR VIEW, THERE IS DOUBT THAT ZURICH DEPARTURE OF PROPOSED FLIGHT SHOULD BE CONSIDERED AS TRAFFIC PICKUP FROM FRG POINT OF VIEW, SINCE THIS TRAFFIC, WHICH WILL NOT LEAVE AIRCRAFT, WILL NOT BE IN ANY WAY INVOLVED IN FRG TRANS-
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PORTATION MARKET. FOR SAME REASON WE WOULD NOT VIEW CHARTER

AS "FIFTH FREEDOM" OPERATION SINCE GROUP INVOLVED IS US-ORIGINATING GROUP MOVING INBOUND TO US. WE WOULD CALL THIS THIRD FREEDOM CHARTER TRAFFIC SIMPLY MOVING VIA POINT IN FRG.

3. DRAWING ON FOREGOING, EMBASSY IS REQUESTED TO DISCUSS MATTER FURTHER WITH FMT, AND TO DETERMINE WHETHER IT SHOULD BE CLEAR TO AIRLINES THAT FMT DUAL STOP REGULATIONS CLEARLY PROHIBIT OPERATIONS SUCH AS THAT PROPOSED BY SATURN. IF PROHIBITION IS EVIDENT, WE WOULD NOT RPT NOT WISH TO PRESS CASE FURTHER AT THIS TIME, BUT EMBASSY SHOULD MAKE CLEAR USG DESIRE TO DISCUSS MATTER IN FUTURE. HOWEVER, IF DUAL STOP RULE IS EQUIVOCAL, OR CLEARLY PROHIBITS DUAL STOPS ONLY WITHIN FRG, THEN EMBASSY SHOULD URGE FMT TO REVIEW PATHFINDER'S ZURICH-FRANKFURT-USA PROPOSAL, IN HOPE THAT APPROVAL CAN BE GRANTED ASAP. SISCO

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